

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

MARTIN J. WALSH,
SECRETARY OF LABOR
U.S. DEPARTMENT OF LABOR,

Plaintiff,

v.

PACKERS SANITATION SERVICES, INC.,
LTD.,

Defendant.

No. CV: 4:22-CV-03246

**INDEX OF EVIDENCE IN SUPPORT OF
DEFENDANT’S BRIEF IN OPPOSITION
TO PLAINTIFF’S MOTION FOR
PRELIMINARY INJUNCTION ORDER**

Defendant Packers Sanitation Services, LLC, named in the Complaint as Packers Sanitation Services, Inc., Ltd. (“PSSI” or the “Company”), by and through its counsel of record, hereby files the following in support of Defendant’s Brief in Opposition to Plaintiff’s Motion for Preliminary Injunction Order.

Exhibit 1:	Declaration of Jennifer Stacey, dated December 2, 2022;
Exhibit 2:	Declaration of Celina Quijano, dated November 28, 2022;
Exhibit 3:	Declaration of Aida Ayala, dated November 29, 2022, executed in Spanish with an English translation and the Translator’s Verification;
Exhibit 4:	Declaration of Marina Ramirez, dated November 29, 2022;
Exhibit 5:	Declaration of Magdalena Garcia Hernandez, dated November 29, 2022, executed in Spanish with an English translation and the Translator’s Verification and with the following exhibits attached: Exhibit A: A Redacted true and correct copy of the Employment Authorization of Magdalena Garcia Hernandez; Exhibit B: A true and correct copy of the photograph published by the U.S. Department of Labor in support of its Motion for Temporary Restraining Order and Preliminary Injunction;
Exhibit 6:	Declaration of Pedro Montanez, dated November 30, 2022, executed in Spanish with an English translation and the Translator’s Verification;

Exhibit 7:	Declaration of Linda Rodriguez, dated November 30, 2022;
Exhibit 8:	Declaration of Jaime Miller, dated December 1, 2022;
Exhibit 9:	<p>Declaration of Paul DeCamp, dated December 1, 2022 with the following exhibits attached:</p> <p>Exhibit A: Wage and Hour Division home web page after clicking on the “Resources” drop-down menu;</p> <p>Exhibit B: Main web page for the Department’s enforcement database;</p> <p>Exhibit C: Web page that offers the various search options;</p> <p>Exhibit D: Web page that allows entry of search terms;</p> <p>Exhibit E: Web page with the pertinent search terms selected, along with the four options available upon typing “Packers Sanitation Services” into the “Company Name” box;</p> <p>Exhibit F: Web page that results after searching under PACKERS SANITATION SERVICES;</p> <p>Exhibit G: Enforcement spreadsheet for PACKERS SANITATION SERVICES;</p> <p>Exhibit H: Enforcement spreadsheet for PACKERS SANITATION SERVICES (PSSI);</p> <p>Exhibit I: Enforcement spreadsheet for PACKERS SANITATION SERVICES, INC.;</p> <p>Exhibit J: Enforcement spreadsheet for PACKERS SANITATION SERVICES, INC., LTD;</p> <p>Exhibit K: Enforcement spreadsheet for PSSI (PACKERS SANITATION SERVICES, INC.);</p> <p>Exhibit L: Enforcement spreadsheet for PSSI;</p>
Exhibit 10:	Declaration of Daniel W. Oldenburg, dated December 1, 2022;
Exhibit 11:	<p>Declaration of David Kalat, dated December 1, 2022, with the following exhibit attached:</p> <p>Exhibit 1: A true and correct copy of Kalat’s Curriculum Vittae;</p>

Exhibit 12:	<p><i>Administrator, Wage and Hour Division, U.S. Dept. of Labor v. Progressive Protein, LLC</i>, Case No. 2010-CLA-00005, ALJ Decision;</p> <p><i>Marshall v. Root's Restaurant, Inc.</i>, Case No. 78-CL-403, ALJ Decision;</p> <p><i>Administrator, Wage and Hour Division, U.S. Dept. of Labor v. Southern Rock & Lime, Inc. and James Clemons and Fulgencio Castillo</i>, Case Nos. 2007-CLA-24 and 2007-CLA-25, ALJ Decision;</p> <p><i>Marshall v. Winchell's Donut House</i>, No. 78-CL-347, ALJ Decision.</p>
Exhibit 13:	<p>Declaration of Patrick Dalin, dated December 1, 2022, with the following exhibits attached:</p> <p>Exhibit A: Emails exchanged between counsel for the parties on November 9, 2022;</p> <p>Exhibit B: Redacted emails exchange between counsel for the parties November 11, 2022;</p> <p>Exhibit C: Redacted emails exchanged between counsel for the parties on November 12-14, 2022</p>

Dated this 2nd day of December, 2022.

Respectfully submitted,

/s/ J. Randall Coffey
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